

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

MICHAEL ALLMAN, )  
                        )  
Plaintiff,           )  
                        )  
                        v. ) CIV-13-495-FHS-KEW  
                        )  
CAROLYN W. COLVIN, )  
Acting Commissioner of the Social )  
Security Administration,<sup>1</sup>      )  
                        )  
Defendant.           )

**ORDER**

On March 16, 2015, the United States Magistrate Judge for this District filed a Report and Recommendation in this case. An objection was filed by Plaintiff on March 19, 2015. In this objection, the Plaintiff argues there were errors with the RFC evaluation and alleged a treating physician error.

The court has reviewed the objection filed by Plaintiff. However, the court finds these objections should be overruled. The Report and Recommendation found the decision by the defendant should be affirmed. This Court finds the Report and Recommendation of the Magistrate Judge applied the proper standards and documents numerous references to the record which

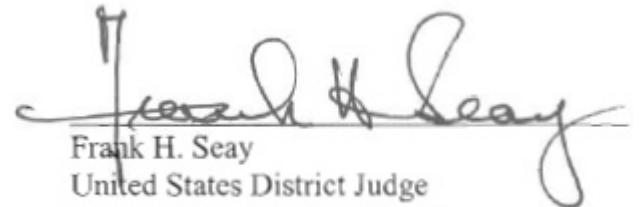
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<sup>1</sup>The Court has been informed by Defendant that on February 14, 2013, Carolyn W. Colvin became the Acting Commissioner of Social Security. Pursuant to Rule 25 (d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is automatically substituted for Michael J. Astrue as the defendant in this action. Thus, this suit will proceed with this substitution in effect. See 42 U.S.C. Sec. 405 (g) ("Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.")

support the recommendation of the Magistrate Judge that the Commissioner's decision be **sustained**.

Upon consideration of the entire record and the issues herein, this Court finds and orders that the Report and Recommendation of the United States Magistrate Judge be **SUSTAINED** and adopted by this Court as this Court's Findings and Order.

**IT IS SO ORDERED** this 30<sup>th</sup> day of March, 2015.



Frank H. Seay  
United States District Judge  
Eastern District of Oklahoma